



ARIZONA BOARD OF OCCUPATIONAL THERAPY EXAMINERS

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Regular Session Minutes

May 16, 2008

Board Members Present: Geri DeWaard, OTR Chair
Rebecca Grabski, OTA Vice-Chair
Kathryn Babits, OTR, Board Member
John Tutelman, Public Representative
Deborah Devine, Public Representative

Staff Present: Linda A. Wells, Executive Director
Vicki Egurrola, Administrative Assistant

Legal Representative: Elizabeth Campbell, Assistant Attorney General

Call to Order

The regularly scheduled meeting of the Arizona State Board of Occupational Therapy Examiners was called to order at 1:34 p.m., Chair Geri DeWaard, OTR presiding.

Approval of Minutes

Regular Session Minutes of April 11, 2008

Mr. Tutelman moved to approve the April 11, 2008 regular session meeting minutes. Ms. DeWaard seconded. The motion passed 5-0.

Telephonic Meeting Minutes of April 25, 2008

Ms. Grabski moved to approve the April 25, 2008 telephonic meeting minutes with an amendment to change the spelling of Mr. Tutelman's name on page 1. Mr. Tutelman seconded. The motion passed 5-0.

Open Complaint Investigations

07-129-C Bernadette S. Harkins, OTR

At a previous meeting, the Board tabled the complaint filed against Bernadette S. Harkins, OTR for further investigation, and moved to hold an informal meeting with her pursuant to A.R.S. §32-3442(C) based on a possible violation of A.R.S. §32-3401.

Ms. Harkins was present at the May meeting for the informal meeting.

Ms. DeWaard recused herself from discussion of the complaint due to her working relationship with Ms. Harkins.

The complainant alleges that Ms. Harkins failed to document or maintain client treatment records, or failed to prepare client reports within 30 days of service or treatment.

Ms. Harkins discussed the circumstances regarding the allegation.

Following discussion, Mr. Tutelman moved to issue Ms. Harkins a Letter of Concern pursuant to A.R.S. §32-3442.3. Ms. Devine seconded. The motion passed 4-0. The Letter of Concern will indicate the Board's concern that Ms. Harkins failed to complete patient discharge summaries in a timely manner.

Probationary Status Reports

Shawn A. Keams, OTA

Shawn A. Keams, OTA is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a signed Consent Agreement.

The Board is in receipt of correspondence from Mr. Keams regarding his monthly attendance at AA meetings.

The Board found that Mr. Keams is in compliance with his reporting for the month of April, 2008.

Complaint No. I-05-105 Michelle Finet, OTR

Michelle Finet, OTR is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with the Decree of Censure

It was reported that Ms. Finet has not completed the continuing education credits (CEU'S) to date, but has on or before termination of probation to complete the requirements for completing six (6) CEU's on the subject of medical ethics; and three (3) CEU's on the subject of business management.

Complaint No. 07-135-B Cody DeGuzman, OTA

Cody DeGuzman, OTA is currently on probation for a violation of the Arizona Revised Statutes governing the practice of occupational therapy. Terms and conditions of probation are monitored monthly for compliance with a Consent Agreement.

It was reported that Mr. DeGuzman has not completed the continuing education credits (CEU's) to date, but has on or before September 14, 2008 to complete six (6) CEU's on the subject of moral ethics.

Substantive Review, Discussion, and Vote Re: The Applications For Licenses As Follows:

a. Initial Applications

i. Angela M. Goeckner, OTR

The Board reviewed the initial application of Angela M. Goeckner, OTR, and her written response to a misdemeanor DUI conviction in 2006.

Following discussion, Ms. Grabski moved to accept the initial license of Ms. Goeckner. Ms. Babits seconded. The motion passed 5-0.

ii. Jeanne M. Anduri, OTR

The Board reviewed the initial application of Jeanne M. Anduri, OTR, and her written response to a charge and dismissal of a marijuana possession in 1976.

Following discussion, Ms. Babits moved to accept the initial license of Ms. Anduri. Ms. Devine seconded. The motion passed 5-0.

Ms. Devine moved to approve all applications listed on the May, 2008 initial applications list with the exception of Angela M. Goeckner, Jeanne M. Anduri, and Andrea Wiles. Ms. Babits seconded. The motion passed 5-0.

Mr. Tutelman moved to approve the initial application of Andrea Wiles, OTR pending verification of her passing scores from the National Board of Certification of Occupational Therapy. Ms. Grabski seconded. The motion passed 5-0.

b. Renewal of Licenses

i. Barbara Bear, OTR

Ms. Babits recused herself from discussion regarding the license renewal application of Barbara Bear, OTR due to their working relationship.

Ms. Bear was present before the Board to answer any questions the Board may have regarding her renewal application. It was reported that Ms. Bear was practicing occupational therapy while her license had expired.

Following discussion, Mr. Tutelman moved to approve the license renewal application of Barbara Bear. Ms. Devine seconded. The motion passed 4-0.

Mr. Tutelman moved to open a complaint against Ms. Bear for practicing without a license, and moved to offer her a Consent Agreement for a Letter of Concern. Ms. DeWaard seconded. The motion passed 4-0. The Letter of Concern will state the Board's concern for failing to renew her license in a timely manner.

ii. Sherri Sones, OTR

The Board reviewed the license renewal application of Sherri Sones, OTR. It was reported that Ms. Sones was practicing occupational therapy while her license had expired.

Following discussion, Mr. Tutelman moved to approve the license renewal of Sherri Sones. Ms. Devine seconded. The motion passed 5-0.

Mr. Tutelman moved to open a complaint against Ms. Sones for practicing occupational therapy while her license expired, and moved to hold an informal meeting with her pursuant to A.R.S. §32-3442(C) based on a possible violation of A.R.S. §32-3401. Ms. DeWaard seconded. The motion passed 5-0.

Mr. Tutelman moved to approve all of the license renewal applicants listed on the May, 2008 renewal of licensees list with the exception of Sherri Sones and Barbara Bear. Ms. Babits seconded. The motion passed 5-0.

c. Limited Permits

Ms. Devine moved to approve all of the applications listed on the May, 2008 limited permit list. Ms. Babits seconded. The motion passed 5-0.

Executive Director's Report

a. Revenue and Expenditure Report

The Board reviewed the March, 2008 Revenue and Expenditure Report.

Other Board Business and Reports

a. SB1128 and SB1129

Ms. DeWaard reported that SB1129 was signed by the governor on April 4, 2008. SB1129 allows the Occupational Therapy Board to continue for ten years.

The Board discussed the following proposed floor amendment to SB1128 referencing Senate engrossed bill for the Board's consideration and vote:

Under the definition of "occupational therapy services" subsection (a) developing an intervention and training plan that is based on the occupational therapist's evaluation of the client's occupational history and experiences, including the client's daily living activities, development, activity demands, values and needs.

Following discussion, Ms. Babits moved to approve the proposed language change. Mr. Tutelman seconded. The motion passed 4-1 with Ms. DeWaard casting the opposing vote.

b. Proposed Rule Making

The Board tabled discussion regarding the proposed rules until the next regularly scheduled meeting.

c. Five Year Review Changes

The Board reviewed the five-year rules review report that will be submitted to the Governor's Regulatory Review Council (GRRC) in compliance with the requirement for all state agencies to review their rules every five years, and report any proposed changes that need to be made.

Following review and discussion, Ms. Babits moved to approve the five-year rules review report as written. Ms. Devine seconded. The motion passed 5-0.

Review Meeting Schedule

No changes were made to the meeting schedule for June and July

Call to the Public

No public comment was received.

Adjournment

There being no further business before the Board, the meeting was adjourned at 3:35 p.m.

Respectfully submitted,

Linda A. Wells
Executive Director

